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June 25, 2009

Ms. Pamela C. Creedon, Executive Officer
California Regional Water Quality Control Board,
Central Valley Region
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

Re: Wide Awake Mine, Colusa County, Proposed Order No. R5-2009-xxxx

Dear Ms. Creedon:

I represent Cal Sierra Properties, a former owner of the real property upon which the Wide Awake Mine is located.

My Client purchased the property upon which the mine was located in October, 1995. My client never purchased or acquired any interest in the mine or the mineral rights associated with the mine.

On 09-01-1999, my client sold the real property on which the mine is located to Roy Tate and David Brown. I believe you have a copy of the deed, but I am enclosing a copy.

Cal Sierra Properties was a general partnership at all times between 1995 and 1999. It has ceased to do business and has been wound up.

From reading your draft Cleanup and Abatement Order, my client makes the following points:

1. My client was never a "discharger"
2. My client does not come within the preview of "any person" or similar reference, as the term is used in the Water Code, in your correspondence, or in the Abatement Order.
3. My client has a "viable successor" in Tate and Brown or others
4. My client is not a proper party defendant/respondent in this proceeding and should be left off your list.

Since my client is suspected of causing or permitting waste to be discharged in an inappropriate manner (paragraph 32 in the order), Cal Sierra Properties categorically denies this allegation. My client hereby demands that, if such evidence exists, it be provided to me, the attorney for Cal Sierra Properties, forthwith.

As previously stated, my client is not "any person" who discharges, or has discharged waste, caused or permitted the same, threatens to do the same, etcetera, (paragraphs 33 and 37 in the order). My client hereby makes the same demand for production of evidence as made in the proceeding paragraph.

State Board Resolution No. 92-49 and the Basin Plan are inapplicable to my client. (Paragraphs 34 and 35 in the order). None-the-less, my client makes the same demand for the production of evidence as made in the preceding two paragraphs.

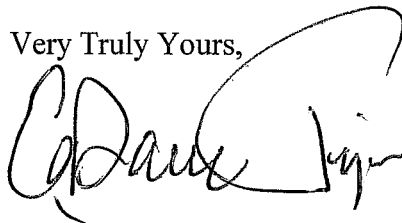
The threatened issuance of the proposed order (paragraph 39 of the order) against Cal Sierra properties is not warranted by the facts. If there was "evidence" my client was liable to remediate the alleged "damages," I am not aware of it. In fact my client has no right to enter the mine or the real property on which it is located.

The other allegations in the order either are outside the scope of my client's knowledge or are irrelevant to my client. My client therefore denies such allegations on the lack of information and belief.

You have apparently assigned blame to my client on the basis of one filing in the Colusa County Record's Office. My client does not dispute the fact of the deed on file. You did not, however, locate the absence of any interest in the offending mine by my client.

Please send me documentation which removes my client from the effect of the proposed order or provide factual evidence to the contrary.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "G. Dave Teja", with a large, sweeping flourish extending from the end of the signature.

G. Dave Teja

RECORDING REQUESTED BY

North State Title Company

Escrow No. 99100712

Order No. 52702

AND WHEN RECORDED MAIL TO

Name David G. Brown and Roy Tate
Address 5597 Feather River Blvd.
City, State, & Zip Marysville, Ca. 95901

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INDIVIDUAL GRANT DEED

A.P.N. 18-20-000/3/ 10-0-0

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$ 16.50

City Transfer Tax is \$.

- ☒ computed on full value of property conveyed, or
☐ computed on full value less value of liens and encumbrances remaining at time of sale.
☒ Unincorporated area: ☐ City of , and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged.

Cal Sierra Properties, a General Partnership

hereby GRANT(S) to David G. Brown, a married man, as his sole and separate property, as to an undivided one-half interest and Roy Tate, a married man, as his sole and separate property, as to an undivided one-half interest the following described real property in the unincorporated, County of Colusa, State of California:

Lots 43 and 44 on Sections 28 and 29, in Township 14 North, Range 5 West, M.D.B. & M.


EXCEPTING THEREFROM all oil, gas, minerals and other hydrocarbons, etc., as reserved in deed from Wells Fargo Bank N.A. as Trustee of the Emma G. Trebilcot Trust to Goshute Corporation, recorded February 28, 1990, Book 649 Official Records, page 109.

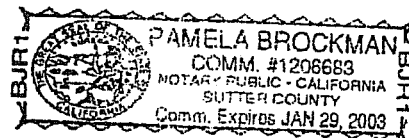
STATE OF CALIFORNIA
COUNTY OF Sutter

IT IS THE INTENT OF THIS DOCUMENT TO CONVEY
THE TOTAL ONE HALF INTEREST OF GRANTOR TO
SS. GRANTEE

Cal Sierra Properties

On September 1, 1999 before me, the undersigned Notary Public, personally appeared Roy D. Whiteaker personally to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

by: 
Roy D. Whiteaker, General Partner



WITNESS my hand and official seal

Signature
MAIL TAX

STATEMENTS TO: SAME AS ABOVE

NAME

ADDRESS

CITY, STATE & ZIP

(This area for official notarial seal)